



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

2019 MAR -7 AM 9:27

SENSITIVE

March 7, 2019

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *DC* for PCO
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR*
Compliance Branch

SUBJECT: Reason to Believe Recommendation -
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to timely file 48-hour notices with the Commission for contributions of \$1,000.00 or more received from the close of books for the Maryland 2018 12 Day Pre-General Report up to 48 hours before the November 6, 2018 General Election in accordance with 52 U.S.C. § 30104(a) and 11 CFR, § 104.5(f). The committee, David Trone for Congress, Inc., represents a candidate who won the General Election. The committee is being referred for failing to timely file a 48-hour notice for a contribution totaling \$100,000.00.

A 48-hour notice is required to report all contributions of a \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not timely filed.

In accordance with the schedule of civil money penalties outlined within 11 CFR § 111.44, this committee should be assessed the civil money penalty so indicated.

Recommendation

1. Find reason to believe that David Trone for Congress, Inc. and June Trone, in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$10,146 be assessed.
2. Send the appropriate letter.

Attachment

10/10/2010 10:10:10

Contributions for Which a 48-Hour Notice Was Not Timely Received

AF 3574

Committee ID: C00653196

Committee Name: David Trone for Congress, Inc.

Report Type: 2018 30 Day Post-General Report (10/18/2018 – 11/26/2018)

48-Hour Reporting Period: 10/18/2018 – 11/3/2018

CONTRIBUTOR	DATE	AMOUNT
TRONE, DAVID	10/29/2018	\$100,000.00
	TOTAL	\$100,000.00

Proposed Civil Money Penalty: \$10,146 ((1 Notice Not Timely Filed at \$146 each) + (10% of the Overall Contributions Not Reported))

Federal Election Commission
Reason to Believe Circulation Report
48-Hour Notification Report

3/8/2019 9:08 AM

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty
3574	C00653198	DAVID TRONE FOR CONGRESS, INC	MD	2018	DAVID TRONE	JUNE TRONE	0	1	\$100,000	\$10,146

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3574
Reason to Believe Recommendation -)
Failure to File 48-Hour Notices under the)
Administrative Fine Program: David)
Trone for Congress, Inc. and June Trone,)
in her official capacity as treasurer)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on March 12, 2019, the Commission
decided by a vote of 4-0 to take the following actions in AF 3574:

1. Find reason to believe that David Trone for Congress, Inc. and June Trone, in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$10,146 be assessed.
2. Send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

March 12, 2019

Date

Dayna C. Brown

Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 13, 2019

June Trone, in official capacity as Treasurer
David Trone for Congress, Inc.
P.O. Box 83998
Gaithersburg, MD 20883

C00653196
AF#: 3574

Dear Ms. Trone:

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, *et seq.* ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate or the Federal Election Commission ("FEC"), and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a). Our records indicate that David Trone for Congress, Inc. did not submit 48-Hour Notices for contributions of \$1,000 or more, received between October 18, 2018 and November 3, 2018, totaling \$100,000, as required by 52 U.S.C. § 30104(a)(6)(A). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On March 11, 2019, the FEC found that there is Reason to Believe ("RTB") that David Trone for Congress, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$10,146. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$146 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$10,146 within forty (40) days of the finding, or by April 20, 2019.

At this juncture, the following courses of action are available to you:

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or April 20, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

1. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that David Trone for Congress, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

2. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Jamie Sikorsky in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,



Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at RTB is \$10,146 for the 2018 General Election 48-Hour Notification Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: David Trone for Congress, Inc.

FEC ID#: C00653196

AF#: 3574

PAYMENT DUE DATE: April 20, 2019

PAYMENT AMOUNT DUE: \$10,146

Contributions for Which a 48-Hour Notice Was Not Timely Received**AF 3574****Committee ID: C00653196****Committee Name: David Trone for Congress, Inc.****Report Type: 2018 30 Day Post-General Report (10/18/2018 – 11/26/2018)****48-Hour Reporting Period: 10/18/2018 – 11/3/2018**

CONTRIBUTOR	DATE	AMOUNT
TRONE, DAVID	10/29/2018	\$100,000.00
	TOTAL	\$100,000.00

Proposed Civil Money Penalty: \$10,146 ((1 Notice Not Timely Filed at \$146 each) + (10% of the Overall Contributions Not Reported))

April 19, 2019

Ms. Ellen Weintraub
Federal Election Commission
Washington, DC 20463

Re: David Trone for Congress, C00653196, AF# 3574

Dear Ms. Weintraub,

This is in response to your letter dated March 13, 2019 regarding the David Trone for Congress Committee's late filing of the Form 6 48-hour report.

On December 6, 2018, while the committee was finalizing the 30-day post-election report, it was discovered that a transfer from the candidate's personal funds on October 30, 2018, in the amount of \$100,000 had not been disclosed on a Form 6-48 hour report. This omission was due to miscommunication on the staff level, and in the interest of transparency, the Form 6 was filed on this same date. Most important, the candidate was in no way responsible for this oversight. Mr. Trone provided all of the information the staff needed to make the appropriate filing.

The Committee understands the purpose of these filings is for full transparency so the public knows who is funding their campaigns. As the voters in the District well knew from numerous press reports and as you can see from the Committee's previous filings, it was always very clear that Congressman Trone was personally funding his campaign. There was never any intent to hide anything by omitting this \$100,000 transfer. By this time, the Committee had dutifully reported over \$16 million in transfers.

This is the Committee's first violation, and attempt at rectifying the error was made immediately when it was discovered. The failure to make this filing in no way hid from the voters or the media the source of funding for the campaign. Further, Congressman Trone and his campaign are committed to complete and accurate transparency and have put additional communication systems in place in order to avoid such a mistake in the future. Additionally, given amount of total spending in the 2018 cycle, the Committee feels that a ten percent penalty on this oversight is excessive. Therefore, the Committee respectfully requests that the Commission find good cause to dismiss this complaint and waive the fine incurred.

Thank you very much for your consideration. Please do not hesitate to contact me if there are any further questions.

Very truly yours,



Allison Murray
David Trone for Congress



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 2019

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3574 – David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer (C00653196)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money penalty.

Reason-to-Believe Background

In connection with the 2018 General Election held on November 6, 2018, the respondents were required to file 48-Hour Notices of Contributions/Loans ("48-Hour Notices") for contributions of \$1,000 or more received between October 18, 2018 and November 3, 2018.

On March 12, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file a 48-Hour Notice for one contribution totaling \$100,000 and made a preliminary determination that the civil money penalty was \$10,146 based on the schedule of penalties at 11 C.F.R. § 111.44. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on March 13, 2019 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") requires that the principal campaign committee of a candidate must notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20th day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 52 U.S.C. § 30104(a)(6)(A) and 11 C.F.R. § 104.5(f). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On April 19, 2019, the Commission received the written response ("challenge") from the respondents requesting the Commission waive the penalty. The challenge explains that the missing 48-Hour Notice relates to a \$100,000 transfer from the Candidate's personal funds on October 30, 2018. Due to a miscommunication between staff, the Committee failed to file the 48-Hour Notice. Upon noticing the omission on December 6, 2018, the Committee immediately filed the 48-Hour Notice.

The challenge states that the Candidate had provided the Committee with all necessary information to file the 48-Hour Notice, and he is in no way responsible for the oversight. Further, the respondents explain:

The Committee understands the purpose of these filings is for full transparency so the public knows who is funding their campaigns. As the voters in the District well knew from numerous press reports and as you can see from the Committee's previous filings, it was always very clear that Congressman Trone was personally funding his campaign. There was never any intent to hide anything by omitting this \$100,000 transfer. By this time, the Committee had dutifully reported over \$16 million in transfers.

The respondents note that this is the Committee's first violation, and they immediately attempted to rectify this issue once it was discovered. "Further, Congressman Trone and his campaign are committed to complete and accurate transparency and have put additional communication systems in place in order to avoid such a mistake in the future." The respondents conclude by stating the ten percent penalty is excessive and request the Commission waive the penalty.

Analysis

The Reviewing Officer confirms that the 48-Hour Notice requirements do apply to a committee's receipt of candidate loans. The Commission's regulations, publications, and website explain 48-Hour Notice reporting requirements. Candidate loans are specifically included in the definition of a contribution at 11 C.F.R. § 100.52. In addition, page 81 of the *Campaign Guide for Congressional Candidates and Committees* explains that 48-Hour Notice requirements "[apply] to all types of contributions to any authorized committee of the candidate, including...loans from the candidate..."

Further, the Commission notified the Committee of its 48-Hour Notice reporting requirements. On October 1, 2018, the Commission's Information Division sent an email to david@davidtrone.com and fec@cfoconsults.com, the email addresses disclosed on the Committee's Statement of Organization. The email included a link to the 2018 General Election Prior Notice on the Commission's website. The notice detailed the reporting requirements in connection with the 2018 General Election, including the 48-Hour Notice requirement for contributions of \$1,000 or more received from October 18, 2018 through November 3, 2018. Within the Prior Notice, there was a link to the Supplemental Filing Information for Congressional Committees page of the Commission's website, which states:

The principal campaign committee must file notices if any authorized committees receive any contribution (including in-kind gifts or advances of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. See 11 CFR 104.5(f). (emphasis included)

The Reviewing Officer also confirms the calculation of the civil money penalty at RTB is correct. The civil money penalty calculation for 48-Hour Notices is contained at 11 C.F.R. § 111.44. The calculation is \$146 plus 10% of the amount of the contributions not reported on *each* 48-Hour Notice, plus 25% for each previous violation. The number of missing notices is calculated by determining the minimum number of notices the Committee could have filed to cover the contributions in question. The minimum number of 48-Hour Notices the Committee could have filed to cover the contributions in question equals 1. Thus, the amount of the civil money penalty is $[(\$146 \times 1 \text{ missing notice}) + (.10 \times \$100,000 \text{ in total contributions})]$ or \$10,146.

Negligence is included at 11 C.F.R. § 111.35(d) as an example of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. A committee's history of compliance is also not considered. The challenge fails to adequately address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money penalty.

OAR Recommendations

1. Adopt the Reviewing Officer Recommendation for AF# 3574 involving David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3574 that David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money penalty; and
3. Send the appropriate letter.

Attachments

Attachment 1 –

Attachment 2 – Page 81 of *Campaign Guide for Congressional Candidates and Committees*

Attachment 3 –

Attachment 4 – Declaration from RAD

Attachment 5 – Declaration from OAR

Filing Reports

Election Year Reporting

Election years are years in which regularly scheduled federal elections are held (even-numbered years).

Pre-Election Reports

In addition to quarterly reports, a committee must file pre-election reports:

- A pre-primary report must be filed before the election in which the candidate seeks nomination.
- A pre-general report must be filed if the candidate runs in the general election.
- A pre-runoff report must be filed when a candidate is involved in a runoff election. (Note: this may be either a primary or a general election.)

A pre-election report is due 12 days before the election and covers activity through the 20th day before the election. If sent by registered or certified mail, priority mail with a delivery confirmation, express mail with a delivery confirmation, or overnight delivery service with an online tracking system, the report must be postmarked no later than the 15th day before the election.³ 104.5(a)(2)(i).

Authorized committees must file appropriate pre- and post-election reports even if the candidate is unopposed or if the election is not held. AO 1986-21.

Post-General Election Reports

There is no requirement for post-primary reports, but a committee must file a post-general report if the candidate runs in the general election. A post-

general election report covers activity through the 20th day after the election and is due 30 days after the election. 104.5(a)(2)(ii). Committees filing the post-general report must include the Post-Election Detailed Summary Page. See Chapter 13, Section 27, for more information. (Committees of campaigns not running in the general election include this form with the year-end report following the election.)

Last-Minute Contributions (48-Hour Notice)

Campaign committees must file special notices regarding contributions of \$1,000 or more received less than 20 days but more than 48 hours before 12:01 a.m. of the day of any election in which the candidate is running. 104.5(f). (These are often called "48-Hour Notices.") This rule applies to all types of contributions to any authorized committee of the candidate, including:

- Contributions from the candidate;
- Loans from the candidate and other non-bank sources; and
- Endorsements or guarantees of loans from banks. See Chapter 3, Section 2.

Committees filing electronically must file their 48-hour notices electronically. See Section 5, "Electronic Filing" below.

Paper-filing committees may file their 48-hour notices using FEC Form 6. Alternatively, a paper-filing committee may file online using the FEC's web-based forms (www.fec.gov/electfil/online.shtml), or may use its own paper or stationery for the notice, provided that it contains the following information:

- The candidate's name and the office sought;
- The identification of the contributor; and
- The amount and date of receipt of the contribution.

Committees filing paper forms may fax the notice to the appropriate office using the following numbers: FEC, 202/219-0174; Secretary of the Senate, 202/224-1851. The committee should keep fax receipts of all transmissions.

The FEC or the Secretary of the Senate must receive the notice within 48 hours of the committee's receipt of the contribution. The committee must itemize all last-minute contributions in the committee's next scheduled report. 104.5(f). See reporting example Chapter 13, Section 15.

³ In several instances, the Commission has been asked to determine a state's primary date for purposes of the Act. In those states in which a party caucus or convention has authority to select a nominee (Virginia) or has authority to select a nominee and is held in addition to a primary (Connecticut and Utah), pre-election reports must be filed for the caucus or convention. See AOs 2004-20, 1992-25, 2000-29 and "Party Caucus or Convention" in Chapter 4. See also, the Commission's Interpretive Rule on the Date of Political Party Nominations of Candidates for Special Primary Elections in New York at <http://go.usa.gov/8hU9>, and *FEC v. Citizens for Senator Wofford*, No. 1: CV-94-2057, slip op. at 8-10 (M.D. Pa. Sept. 27, 1995) (Holding that state party convention constituted a "primary election" under the Act and Commission regulations even though state law required the party to file a subsequent certificate of nomination with the state.)

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to David Trone for Congress, Inc:
 - A) Request for Additional Information for the 2018 30 Day Post-General Report, dated December 20, 2018, referencing the missing 48-Hour Notice (sent via electronic mail to: info@davidtrone.com and fec@cfoconsults.com);
 - B) Reason-to-Believe Letter, dated March 13, 2019, referencing the missing 48-Hour Notice (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find David Trone for Congress, Inc has filed the missing 48-Hour Notice with the Commission on December 6, 2018.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 6th day of May, 2019.

Ben Holly for KDR
Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

December 20, 2018

JUNE TRONE, TREASURER
DAVID TRONE FOR CONGRESS, INC
11325 SEVEN LOCKS ROAD SUITE 280
POTOMAC, MD 20854

Response Due Date
01/24/2019

IDENTIFICATION NUMBER: C00653196

REFERENCE: 30 DAY POST-GENERAL REPORT (10/18/2018 - 11/26/2018)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 item(s):

1. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions (to include loans, in-kind contributions, and advances) received by your committee after the close of books for the 12 Day Pre-General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

2. On Schedule B supporting Line 17 of your report, you have itemized disbursements for which you have failed to include the complete vendor address. Please amend your report to include the missing information. (11 CFR § 104.3(b)(4))

3. Itemized disbursements must include a brief statement or description of why

DAVID TRONE FOR CONGRESS, INC

Page 2 of 3

each disbursement was made. Please amend Schedule B supporting Line 17 of your report to clarify the following descriptions: "Event Costs," "Paid Communications" and "Paid Field." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(4)(i)(A).

Additional clarification regarding inadequate purposes of disbursement and a non-exhaustive list of acceptable purposes are available on the FEC website at <http://www.fec.gov/help-candidates-and-committees/purposes-disbursement/>.

4. Schedule B of your report discloses reimbursements to individuals for the following disbursements: "Event Costs" and "Reimbursement." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in an election cycle, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information on Schedule B and clearly identify each memo entry supporting a reimbursement. If itemization is not necessary, you must indicate so in an amendment to this report. (11 CFR §§ 104.3(b)(4)(i) and 104.9, and Advisory Opinions 1992-1 and 1996-20, footnote 3)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit <http://transition.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1196.

David Trone for Congress, Inc. (C00653196)

Contributor Name	Date	Amount	Election
Trone, David	10/29/18	\$100,000.00	G2018

[illegible]

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20th day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover, Summary and Detailed Summary Pages, and one page of Schedule A of the 2018 Post-General Report filed by David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, and received on December 6, 2018.
 - b) 48-Hour Notice filed by David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, and received on December 6, 2018.
 - c) Form 99 (Miscellaneous Electronic Submission) filed by David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, and received on January 24, 2019.
 - d) Cover, Summary and Detailed Summary Pages, and one page of Schedule A of the Amended 2018 Post-General Report filed by David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, and received on January 31, 2019.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 14th day of May, 2019.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF
COMMITTEE (in full)

TYPE OR PRINT ▼

Example: If typing, type
over the lines.

12FE4M5

David Trone for Congress, Inc

ADDRESS (number and street)

11325 Seven Locks Road

Suite 280

Check if different
than previously
reported. (ACC)

Potomac

MD

20854

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C 000653196

3. IS THIS
REPORTNEW
(N) ORAMENDED
(A)

STATE ▼ DISTRICT

MD

06

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

M M / D D / Y Y Y Y

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

M M / D D / Y Y Y Y

in the
State of

MD

5. Covering Period

M M / D D / Y Y Y Y
10 / 18 / 2018

through

M M / D D / Y Y Y Y
11 / 28 / 2018

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Trone, June, ..

Type or Print Name of Treasurer

Trone, June, ..

Signature of Treasurer

[Electronically Filed]

Date

M M / D D / Y Y Y Y
12 / 06 / 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

SUMMARY PAGE

of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 2 / 101

Write or Type Committee Name
David Trone for Congress, Inc

Report Covering the Period: From: M M / D D / Y Y Y Y To: M M / D D / Y Y Y Y
10 18 2018 11 28 2018

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	1510474.70	14787445.30
(b) Total Contribution Refunds (from Line 20(d))	200.00	2975.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	1510274.70	14784470.30
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	2181618.11	17816182.47
(b) Total Offsets to Operating Expenditures (from Line 14)	0.00	812.84
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	2181618.11	17815369.63
8. Cash on Hand at Close of Reporting Period (from Line 27)	6716.35	
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	3250000.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 07/05)

PAGE 3 / 101

- If the candidate participated in the general election, use this form for the 30-day Post-General report.
- If the candidate did NOT participate in the general election, use this form for the Year-end report covering through December 31 of the election year (due on January 31).

This form is used in lieu of filling out Line Numbers 6 through 7 on Page 2 (Summary Page) and Pages 3 and 4 (the Detailed Summary Page) for the last report filed by a candidate during the current election cycle.

Write or Type Committee Name

David Trone for Congress, Inc

Report Covering the Period: From: 10 / 18 / 2018 To: 11 / 26 / 2018

I. RECEIPTS

COLUMN A Total this Period	COLUMN B Election Cycle Total as of 11 / 06 / 2018 (date of general election)	COLUMN C Total for 11 / 07 / 2018 (date after general election) through 11 / 26 / 2018 (last day of reporting period)
11. CONTRIBUTIONS		
(other than loans) FROM:		
(a) Individuals/Persons Other than Political Committees		
(i) Itemized (use Schedule A)		
9150.00	538721.82	0.00
(ii) Unitemized		
1324.70	16551.97	0.00
(iii) Total of contributions from individuals		
10474.70	553273.79	0.00
(b) Political Party Committees		
0.00	0.00	0.00
(c) Other Political Committees		
0.00	1000.00	0.00

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 1/01)

PAGE 4 / 101

COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
(d) The Candidate		
1500000.00	14233171.51	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c) and (d))		
1510474.70	14787445.30	0.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
0.00	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate		
0.00	3250000.00	0.00
(b) All Other Loans		
0.00	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b))		
0.00	3250000.00	0.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, rebates, etc.)		
0.00	812.84	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.)		
1.36	107.70	0.00
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		
1510476.06	18038365.84	0.00

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 1/01)

PAGE 5 / 101

Write or Type Committee Name

David Trone for Congress, Inc

Report Covering the Period:

From:

MM / DD / YYYY
10 / 18 / 2018

To:

MM / DD / YYYY
11 / 26 / 2018**II. DISBURSEMENTS**

COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
17. OPERATING EXPENDITURES		
2161618.11	17816182.47	193589.57
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		
0.00	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate		
0.00	0.00	0.00
(b) Of All Other Loans		
0.00	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and 19(b))		
0.00	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
200.00	1975.00	0.00
(b) Political Party Committees		
0.00	0.00	0.00

POST-ELECTION DETAILED SUMMARY PAGE

Report of Receipts and Disbursements

FEC Form 3 (Revised 1/01)

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COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
-------------------------------	---	---

(c) Other Political Committees (such as PACs)

0.00	1000.00	0.00
------	---------	------

(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b) and (c))

200.00	2975.00	0.00
--------	---------	------

21. OTHER DISBURSEMENTS

0.00	18842.50	0.00
------	----------	------

22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d) and 21)

2161818.11	17837999.97	193589.57
------------	-------------	-----------

III. NET CONTRIBUTIONS (OTHER THAN LOANS)

(Note: Substitute in lieu of Line #6 of Summary Page for this report only; subtract Line 20(d) from Line 11(e))

1510274.70	14784470.30	0.00
------------	-------------	------

IV. NET OPERATING EXPENDITURES

(Note: Substitute in lieu of Line #7 of Summary Page for this report only; subtract Line 14 from Line 17)

2161818.11	17815369.63	193589.57
------------	-------------	-----------

V. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	658058.40
24. TOTAL RECEIPTS THIS PERIOD (from Line 18).....	1510476.06
25. SUBTOTAL (add Line 23 and Line 24).....	2168534.46
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	2161818.11
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25)	6716.35

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER:
 (check only one)

PAGE 13 OF 101

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input checked="" type="checkbox"/> 11d	<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	<input type="checkbox"/> 15
------------------------------	------------------------------	------------------------------	---	-----------------------------	------------------------------	------------------------------	-----------------------------	-----------------------------

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committees.

NAME OF COMMITTEE (In Full)

David Trone for Congress, Inc

Full Name (Last, First, Middle Initial)

A. Trone, David, , ,

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

13733171.51

Date of Receipt

 M M / D D / Y Y Y Y
 10 24 2018

Transaction ID : VTEA8W9CD20

Amount of Each Receipt this Period

1000000.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

B. Trone, David, , ,

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

13833171.51

Date of Receipt

 M M / D D / Y Y Y Y
 10 29 2018

Transaction ID : VTEA8W9CY60

Amount of Each Receipt this Period

1000000.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

C. Trone, David, , ,

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

14233171.51

Date of Receipt

 M M / D D / Y Y Y Y
 11 05 2018

Transaction ID : VTEA8W9CAZ3

Amount of Each Receipt this Period

400000.00

☐ Memo Item

SUBTOTAL of Receipts This Page (optional) ▶

1500000.00

TOTAL This Period (last page this line number only) ▶

1500000.00

Image# 201812069135246843

48-HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

To be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL David Trone for Congress, Inc					
ADDRESS (number and street) 11325 Seven Locks Road Suite 280					
CITY Potomac		STATE MD		ZIP CODE 20854	
2. NAME OF CANDIDATE Trone, David, , ,			3. OFFICE SOUGHT (State and District) House MD 06		4. FEC IDENTIFICATION NUMBER C00653196
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON ____ / ____ / ____					
A. FULL NAME Trone, David, , ,			Name of Employer Total Wine & More		Date (month, day, year) 10/29/2018
MAILING ADDRESS 6800 Rockledge Dr Ste 150			Transaction ID : VTEA8W9CY60		Amount 100000.00
CITY Bethesda	STATE MD	ZIP CODE 20817-1806	Occupation Owner		
B. FULL NAME			Name of Employer		Date (month, day, year)
MAILING ADDRESS					Amount
CITY	STATE	ZIP CODE	Occupation		
C. FULL NAME			Name of Employer		Date (month, day, year)
MAILING ADDRESS					Amount
CITY	STATE	ZIP CODE	Occupation		
D. FULL NAME			Name of Employer		Date (month, day, year)
MAILING ADDRESS					Amount
CITY	STATE	ZIP CODE	Occupation		
E. FULL NAME			Name of Employer		Date (month, day, year)
MAILING ADDRESS					Amount
CITY	STATE	ZIP CODE	Occupation		
SIGNATURE (optional) Trone, June, , ,			DATE 12/06/2018		For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530, Local 202-694-1100
			[Electronically Filed]		

Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

FEC FORM 6
(Revised 03/2016)

MISCELLANEOUS TEXT (FEC Form 99)

PAGE 1 / 1

NAME OF COMMITTEE (In Full)
David Trone for Congress, Inc

FEC IDENTIFICATION NUMBER
C00653196

Mailing Address 11325 Seven Locks Road
Suite 280

City	State	ZIP Code
Potomac	MD	20854

January 24, 2019

Bradley Austin
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division
Federal Elections Commission
Washington, DC 20463

Re:David Trone for Congress, Inc.
FEC Identification Number C00653196

Dear Mr. Austin,

This is in response to your letter dated December 20th, 2018, concerning the Post-General report (10/18/2018-11/26/2018) for the David Trone for Congress Committee (?the Committee?).

You asked about a contribution received by the Committee during the 48-hour reporting period that was not disclosed within 48 hours of receipt. On December 6, 2018, while preparing the Post-General report, it was discovered this contribution had not been disclosed and a Form 6 was immediately submitted in an effort to remedy the omission as soon as it was discovered. The Committee then reviewed its accounting procedures and communications with those responsible for preparing its reports, and can assure the Commission that all contributions will be reported in a timely manner in the future.

You also asked about itemized disbursements which did not include either a complete address or an adequate description of the purpose. An amended report will be filed forthwith to correct these issues.

If you have any additional questions, please do not hesitate to contact the Committee.

Very truly yours,

June Trone
Treasurer, David Trone for Congress, Inc.

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (In full) TYPE OR PRINT ▼

Example: If typing, type over the lines.

12FE4M5

David Trone for Congress, Inc

ADDRESS (number and street)

PO Box 83998

Check if different
than previously
reported. (ACC)

Gaithersburg

MD

20883

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C

C00653196

3. IS THIS
REPORTNEW
(N)

OR

X

AMENDED
(A)

STATE ▼ DISTRICT

MD

06

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

M M / D D / Y Y Y Y

In the
State of

(c) 30-Day POST-Election Report for the:

X

General (30G)

Runoff (30R)

Special (30S)

Election on

M M / D D / Y Y Y Y

In the
State of

MD

5. Covering Period

M M / D D / Y Y Y Y

10

18

2018

through

M M / D D / Y Y Y Y

11

26

2018

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Trone, June, . .

Signature of Treasurer

Trone, June, . .

[Electronically Filed]

Date

M M / D D / Y Y Y Y

01

31

2019

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

SUMMARY PAGE

(of Receipts and Disbursements

FEC Form 3 (Revised 05/2016)

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Write or Type Committee Name

David Trone for Congress, Inc

Report Covering the Period: From:

M M / D D / Y Y Y
10 / 18 / 2018

To:

M M / D D / Y Y Y
11 / 26 / 2018

	COLUMN A This Period	COLUMN B Election Cycle-to-Date
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(e))	1510474.70	17537445.30
(b) Total Contribution Refunds (from Line 20(d))	200.00	2975.00
(c) Net Contributions (other than loans) (subtract Line 6(b) from Line 6(a))	1510274.70	17534470.30
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	2161618.11	17816182.47
(b) Total Offsets to Operating Expenditures (from Line 14)	0.00	812.84
(c) Net Operating Expenditures (subtract Line 7(b) from Line 7(a))	2161618.11	17815369.63
8. Cash on Hand at Close of Reporting Period (from Line 27)	6776.35	
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D)	500000.00	

For further information contact:

Federal Election Commission
999 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 07/05)

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- If the candidate participated in the general election, use this form for the 30-day Post-General report.
- If the candidate did NOT participate in the general election, use this form for the Year-end report covering through December 31 of the election year (due on January 31).

This form is used in lieu of filling out Line Numbers 6 through 7 on Page 2 (Summary Page) and Pages 3 and 4 (the Detailed Summary Page) for the last report filed by a candidate during the current election cycle.

Write or Type Committee Name

David Trone for Congress, Inc

Report Covering the Period: From: To:

I. RECEIPTS

COLUMN A Total this Period	COLUMN B Election Cycle Total as of <input type="text" value="11"/> <input type="text" value="06"/> <input type="text" value="2018"/> (date of general election)	COLUMN C Total for <input type="text" value="11"/> <input type="text" value="07"/> <input type="text" value="2018"/> (date after general election) through <input type="text" value="11"/> <input type="text" value="26"/> <input type="text" value="2018"/> (last day of reporting period)
11. CONTRIBUTIONS		
(other than loans) FROM:		
(a) Individuals/Persons Other than Political Committees		
(i) Itemized (use Schedule A)		
<input type="text" value="9150.00"/>	<input type="text" value="536721.82"/>	<input type="text" value="0.00"/>
(ii) Unitemized		
<input type="text" value="1324.70"/>	<input type="text" value="16551.97"/>	<input type="text" value="0.00"/>
(iii) Total of contributions from Individuals		
<input type="text" value="10474.70"/>	<input type="text" value="553273.79"/>	<input type="text" value="0.00"/>
(b) Political Party Committees		
<input type="text" value="0.00"/>	<input type="text" value="0.00"/>	<input type="text" value="0.00"/>
(c) Other Political Committees		
<input type="text" value="0.00"/>	<input type="text" value="1000.00"/>	<input type="text" value="0.00"/>

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 1/01)

PAGE 4 / 103

COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
(d) The Candidate		
1500000.00	16983171.51	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c) and (d))		
1510474.70	17537445.30	0.00
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		
0.00	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate		
0.00	500000.00	0.00
(b) All Other Loans		
0.00	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b))		
0.00	500000.00	0.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, rebates, etc.)		
0.00	812.84	0.00
15. OTHER RECEIPTS (Dividends, Interest, etc.)		
1.36	107.70	0.00
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)		
1510476.06	18038365.84	0.00

POST-ELECTION DETAILED SUMMARY PAGE

Report of Receipts and Disbursements

FEC Form 3 (Revised 1/01)

PAGE 5 / 103

Write or Type Committee Name

David Trone for Congress, Inc

Report Covering the Period: From:

M M / D D / Y Y Y Y
10 18 2018

To:

M M / D D / Y Y Y Y
11 26 2018**II. DISBURSEMENTS**

COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
17. OPERATING EXPENDITURES		
2161618.11	17816182.47	193589.57
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES		
0.00	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate		
0.00	0.00	0.00
(b) Of All Other Loans		
0.00	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and 19(b))		
0.00	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees		
200.00	1975.00	0.00
(b) Political Party Committees		
0.00	0.00	0.00

POST-ELECTION DETAILED SUMMARY PAGE**Report of Receipts and Disbursements**

FEC Form 3 (Revised 1/01)

PAGE 6 / 103

COLUMN A Total this Period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	COLUMN C Total for * (date after general election) through * (last day of reporting period) (* See page 5 for dates)
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(c) Other Political Committees (such as PACs)

0.00	1000.00	0.00
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(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b) and (c))

200.00	2975.00	0.00
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21. OTHER DISBURSEMENTS

0.00	18842.50	0.00
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22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d) and 21)

2161818.11	17837999.97	193589.57
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III. NET CONTRIBUTIONS (OTHER THAN LOANS)

(Note: Substitute in lieu of Line #6 of Summary Page for this report only; subtract Line 20(d) from Line 11(e))

1510274.70	17534470.30	0.00
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IV. NET OPERATING EXPENDITURES

(Note: Substitute in lieu of Line #7 of Summary Page for this report only; subtract Line 14 from Line 17)

2161618.11	17815369.63	193589.57
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V. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	658118.40
24. TOTAL RECEIPTS THIS PERIOD (from Line 16).....	1510476.06
25. SUBTOTAL (add Line 23 and Line 24).....	2168594.46
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	2161818.11
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25)	6776.35

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 13 OF 103

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input checked="" type="checkbox"/> 11d	<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	<input type="checkbox"/> 15
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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

David Trone for Congress, Inc

Full Name (Last, First, Middle Initial)

Trone, David, . .

A.

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

16483171.51

Date of Receipt

M	M	/	D	D	/	Y	Y	Y	Y
10			24			2018			

Transaction ID : VTEA8W9CD20

Amount of Each Receipt this Period

1000000.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

Trone, David, . .

B.

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

16583171.51

Date of Receipt

M	M	/	D	D	/	Y	Y	Y	Y
10			29			2018			

Transaction ID : VTEA8W9CY60

Amount of Each Receipt this Period

100000.00

☐ Memo Item

Full Name (Last, First, Middle Initial)

Trone, David, . .

C.

 Mailing Address 6600 Rockledge Dr
 Ste 150

City

Bethesda

State

MD

Zip Code

20817-1806

 FEC ID number of contributing
 federal political committee.

C

H8MD06168

Name of Employer

Total Wine & More

Occupation

Owner

Receipt For: 2018

☐ Primary☒ General☐ Other (specify) ▼

Election Cycle-to-Date ▼

16983171.51

Date of Receipt

M	M	/	D	D	/	Y	Y	Y	Y
11			05			2018			

Transaction ID : VTEA8W9CAZ3

Amount of Each Receipt this Period

400000.00

☐ Memo Item

SUBTOTAL of Receipts This Page (optional).....

1500000.00

TOTAL This Period (last page this line number only).....

1500000.00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 14, 2019

June Trone, in official capacity as Treasurer
David Trone for Congress, Inc.,
11325 Seven Locks Road, Suite 280
Potomac, MD 20854

C00653196
AF#: 3574

Dear Ms. Trone:

On March 12, 2019, the Commission found reason to believe ("RTB") that David Trone for Congress, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to timely file a 48-Hour Notice for one contribution totaling \$100,000 and made a preliminary determination that the civil money penalty was \$10,146 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 1050 First Street, NE, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
COMMUNICATIONS SECTION

2019 MAY 23 PM 2:21

SENSITIVE

May 23, 2019

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3574 – David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer (C00653196)

On March 12, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file a 48-Hour Notice for one contribution totaling \$100,000 and made a preliminary determination that the civil money penalty was \$10,146 based on the schedule of penalties at 11 C.F.R. § 111.44.

On April 19, 2019, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated May 14, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money penalty.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On May 23, 2019, the respondents indicated they would not be submitting a response.

1-800-NINJA-5000

1. Adopt the Reviewing Officer Recommendation for AF# 3574 involving David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3574 that David Trone for Congress, Inc. and June Trone, in her official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money penalty; and
3. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3574
Final Determination Recommendation:)
David Trone for Congress, Inc. and June)
Trone, in her official capacity as)
Treasurer (C00653196))

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on June 06, 2019, the Commission decided
by a vote of 4-0 to take the following actions in AF 3574:

1. Adopt the Reviewing Officer recommendation for AF# 3574
involving David Trone for Congress, Inc. and June Trone, in her
official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 3574 that David Trone for
Congress, Inc. and June Trone, in her official capacity as Treasurer,
violated 52 U.S.C. § 30104(a) and assess a \$10,146 civil money
penalty.
3. Send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

June 7, 2019
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 11, 2019

June Trone, in official capacity as Treasurer
David Trone for Congress, Inc.
11325 Seven Locks Road, Suite 280
Potomac, MD 20854

C00653196
AF#: 3574

Dear Ms. Trone:

On March 12, 2019, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that David Trone for Congress, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) for failing to file a 48-Hour Notice. By letter dated March 13, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$10,146 in accordance with the schedule of penalties at 11 C.F.R. § 111.44. On April 19, 2019, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that David Trone for Congress, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$10,146 in accordance with 11 C.F.R. § 111.44. The Reviewing Officer Recommendation was sent to you on May 14, 2019.

On June 6, 2019, the Commission adopted the Reviewing Officer's recommendation and made a final determination that David Trone for Congress, Inc. and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$10,146. A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during

the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

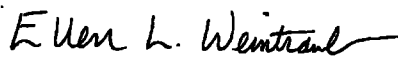
Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not

constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ellen L. Weintraub
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.44, the civil money penalty is \$10,146 for a 48-Hour Notice.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form. This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours; and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: David Trone for Congress, Inc.

FEC ID#: C00653196

AF#: 3574

PAYMENT AMOUNT DUE: \$10,146

